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EXAMINER

BAUGH, APRIL L

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/874,106

Applicant(s)

SIMPSON ET AL.

Examiner

April L. Baugh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 18-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 18-36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____

DETAILED ACTION

Response to Amendment

Applicant amended claims 1, 15, 19, and 36 and canceled claim 17, therefore claims 1-16 and 18-36.

Response to Arguments

1. Applicant's arguments with respect to claims 1-16 and 18-36 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-16 and 18-36 rejected under 35 U.S.C. 102(e) as being unpatentable by US Patent No. 6,353,848 to Morris.

Regarding claim 1, Morris teaches a system for searching imaging data comprising digital data capable of being represented as two dimensional graphics stored in a personal imaging repository by a requested web service operatively connected to a computing device requesting the service, comprising: a computing device for requesting service with the requested

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web service (abstract, column 4, lines 45-58); a personal imaging repository associated with a particular user profile for storing imaging data that is to be accessed by the requested web service (column 5, lines 11-15 and column 7, lines 5-9 and column 11, lines 5-7, 10-12, 26-34), wherein said personal imaging repository is an exchange infrastructure between the imaging data and available web services (column 6, lines 61-66 and column 7, lines 19-26); user information for allowing access to said personal imaging repository; and, a requested web service for servicing the imaging data stored in said personal imaging repository responsive to a request from a user and upon having access to said personal imaging repository granted upon receiving said user profile (column 12, lines 1-14 and 39-63 and column 13, lines 30-52 and column 16, lines 39-67).

Regarding claim 19, Morris teaches a method for requesting service for imaging data comprising digital data capable of being represented as two dimensional graphics stored in a personal imaging repository having an imaging data store for storing the imaging data and a composition store for storing imaging compositions having links to the imaging data serviced as a single unit, through a computing device having a browser operatively connected to a requested web service, said method comprising the steps of: requesting service from the requested web service by the computing device; sending user information to the requested web service enabling the web service to access the user's personal imaging repository (column 16, lines 39-67); accessing the personal imaging repository using the user information by the requested web service; and, servicing the selected imaging data by the requested web service responsive to user selection from the computing device (column 12, lines 1-14 and 39-63 and column 13, lines 30-52).

Regarding claim 36, Morris teaches a computer program product comprising a computer usable medium having computer readable program codes embodied in the medium that when executed cause a computer to: request service involving imaging data comprising digital data capable of being represented as two dimensional graphics from the requested web service by the computing device; send user information to the requested web service enabling the web service to access a personal imaging repository associated with the sent user information (column 16, lines 39-67), the repository containing the imaging data; access the personal imaging repository using the user information by the requested web service (column 12, lines 1-14 and 39-63); and, service the selected imaging data by the requested web service responsive to user selection from the computing device (column 13, lines 30-52).

Regarding claim 2, Morris teaches the system as defined in claim 1 wherein said requested web service sends a web content responsive to a service request from said computing device (column 12, lines 60-63).

Regarding claim 3, Morris teaches the system as defined in claim 2 wherein said web content causes said user information to be sent to said web service (column 12, lines 39-63).

Regarding claim 4, Morris teaches the system as defined in claim 3 wherein said web service accesses said personal imaging repository using said user information (column 16, lines 39-67).

Regarding claim 5, Morris teaches the system as defined in claim 1 wherein said web service is provided through a web server (column 12, lines 60-63).

Regarding claim 6, Morris teaches the system as defined in claim 1 wherein said computing device further includes a web browser for displaying and executing web content from the available web services (column 12, lines 60-63).

Regarding claim 7, Morris teaches the system as defined in claim 1 wherein said personal imaging repository provides the imaging data in a plurality of file formats (column 5, lines 5-10).

Regarding claim 8, Morris teaches the system as defined in claim 7 wherein said personal imaging repository further comprising a converter for converting the imaging data to any of said plurality of file formats (column 5, lines 5-10).

Regarding claim 9, Morris teaches the system as defined in claim 7 wherein said plurality of file formats of said personal imaging repository is any one from the group consisting of: Joint Photographic Experts Group Format; Graphics Interchange Format; Portable Network Graphics Format; Tagged Image File Format; Portable Document Format; and, Microsoft Windows bitmap format (column 1, lines 20-23).

Regarding claim 10, Morris teaches the system as defined in claim 1 wherein said personal imaging repository comprises an imaging data store for storing imaging data (column 5, lines 11-15 and column 7, lines 5-9).

Regarding claim 11, Morris teaches the system as defined in claim 1 wherein said personal imaging repository comprises a plurality of imaging data stores for storing imaging data (column 5, lines 11-15 and column 7, lines 5-9 and column 11, lines 5-11 and 25-34).

Regarding claim 12, Morris teaches the system as defined in claim 11 wherein one of said plurality of imaging data stores is assigned to the user associated with said personal imaging

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repository for user usage (column 5, lines 11-15 and column 7, lines 5-9 and column 11, lines 5-11 and 25-34).

Regarding claim 13, Morris teaches the system as defined in claim 11 wherein one of said plurality of imaging data stores is assigned to a web service for storing imaging data available to the public (column 5, lines 11-15 and column 7, lines 5-9 and column 11, lines 5-11 and 25-34).

Regarding claim 14, Morris teaches the system as defined in claim 1 wherein said personal imaging repository comprises a composition store for storing imaging compositions of imaging data serviced as a single unit (column 5, lines 11-15 and column 7, lines 5-9).

Regarding claim 15, Morris teaches the system as defined in claim 14 wherein an imaging composition comprises a link to each imaging data (column 5, lines 11-15 and column 7, lines 5-9 and column 11, lines 5-11).

Regarding claim 16, Morris teaches the system as defined in claim 1 wherein said user information is identification and security information used for accessing said personal imaging repository (column 12, lines 39-59).

Regarding claim 18, Morris teaches the system as defined in claim 1 wherein said user information is stored on the computing device (column 12, lines 39-59).

Regarding claim 20, Morris teaches the method according to claim 19 wherein said step of requesting service further comprising the steps of: requesting web content from the requested web service by the browser of the computing device; receiving the request for web content from the browser by the requested web service (column 12, lines 39-64 and column 13, lines 30-52); sending web content to the browser by the requested web service responsive to the request for

web content; receiving the web content from the web service by the browser; and, displaying and executing the web content by the browser (column 16, lines 39-67).

Regarding claim 21, Morris teaches the method according to claim 20 wherein said step of displaying and executing the web content further comprising the steps of: sending user information to the requested web service by the browser responsive to the web content; and, directing the browser to a requested web service responsive to the web content (column 12, lines 39-64 and column 13, lines 30-52 and column 11, lines 5-11 and 25-34).

Regarding claim 22, Morris teaches the method according to claim 20 further comprising the steps of: sending user information to the requested web service; and, directing the browser to a requested web service responsive to the web content (column 13, lines 30-52 and column 16, lines 39-67).

Regarding claim 23, Morris teaches the method according to claim 19 wherein said step of accessing the personal imaging repository further comprising the steps of: connecting with the composition store of the personal imaging repository by the web service; obtaining a list of the imaging composition stored in the composition store by the web service; constructing a web content including a list of the imaging composition by the web service and control for selecting the available service; and, sending the constructed web content to the browser by the web service for user selection (column 13, lines 30-52 and column 16, lines 39-67).

Regarding claim 24, Morris teaches the method according to claim 23 further comprising the steps of: receiving the constructed web content from the web service by the browser; and, displaying the constructed web content for user selections by the browser (column 13, lines 30-52 and column 16, lines 39-67).

Regarding claim 25, Morris teaches the method according to claim 23 further comprising the steps of: requesting a selected composition in a specialized format from the composition store by the web service responsive to user selection; receiving a request for user selected composition in a specified format from the web service by the composition store; obtaining each imaging data indicated by the selected composition from its proper location; sending the imaging data linked from the user selected composition in the specified format to the web service by the composition store; and, receiving the imaging data in the specified format from the composition store by the web service (column 13, lines 30-52 and column 16, lines 39-67).

Regarding claim 26, Morris teaches the method according to claim 25 wherein said step of sending the imaging data further comprising the steps of: determining whether the imaging data needs to be converted into the specified format; and, converting the imaging data in the specified format when the imaging needs to be converted into the specified format (column 5, lines 5-10).

Regarding claim 27, Morris teaches the method according to claim 19 wherein said step of accessing the personal imaging repository further comprising the steps of: connecting with the imaging data store of the personal imaging repository indicated from the user information; and, transferring the imaging data to the imaging data store (column 13, lines 30-52 and column 16, lines 39-67).

Regarding claim 28, Morris teaches the method according to claim 27 further comprising the steps of: obtaining a link reference of the transferred imaging data stored in the personal imaging data store; and, disconnecting from the imaging data store by the requested web service (column 13, lines 30-52 and column 16, lines 39-67).

Regarding claim 29, Morris teaches the method according to claim 27 wherein said step of connecting with the imaging data store further comprising the steps of: determining whether the connection with the imaging data store is successful; and, returning an error message to the user when the connection is not successful (column 12, lines 39-50).

Regarding claim 30, Morris teaches the method according to claim 27 wherein said step of connecting with the imaging data store further comprising the step of converting the imaging data into a predefined format (column 5, lines 5-10).

Regarding claim 31, Morris teaches the method according to claim 30 wherein said predefined format is any one from the group consisting of: Joint Photographic Experts Group Format; Graphics Interchange Format; Portable Network Graphics Format; Tagged Image File Format; Portable Document Format; and, Microsoft Windows bitmap format (column 1, lines 20-23).

Regarding claim 32, Morris teaches the method according to claim 27 further comprising the steps of: obtaining a link reference of the transferred imaging data stored in the personal imaging data store; connecting with the composition store of the personal imaging repository indicated from the user information; creating an imaging composition having a link reference to the imaging data stored in the personal imaging data store; and, saving the imaging composition to the composition store (column 5, lines 11-15 and column 11, lines 5-11).

Regarding claim 33, Morris teaches the method according to claim 32 further comprising the steps of: setting the imaging composition as a selected composition available for service in the composition store; and, disconnecting from the composition store of the personal imaging repository (column 1, lines 20-23 and column 5, lines 11-15).

Regarding claim 34, Morris teaches the method according to claim 32 wherein prior to the step of creating an imaging composition further comprising the steps of: determining whether the connection with the composition store is successful; and, returning an error message to the user when the connection to the composition is not successful (column 12, lines 39-64).

Regarding claim 35, Morris teaches the method according to claim 32 wherein said step of creating an imaging composition further comprising the step of adding the link reference of the imaging data stored in the imaging data store to the imaging composition (column 5, lines 11-15 and column 11, lines 5-11).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to requesting service for imaging data to a web service in general: Anderson et al., Roosen et al., Pineau, Levine et al., Kelley et al., and Ogawa et al.

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to April L. Baugh whose telephone number is 571-272-3877. The examiner can normally be reached on Monday-Friday 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ALB


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SUPERVISORY PATENT EXAMINER